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OFFICE OF PETITIONS

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Marietta, Georgia 30007-1355**

In re Application of :
Joshua W. KITE et al. : **DECISION GRANTING PETITION**
Application No. 09/964,451 : **UNDER 37 CFR 1.137(b)**
Filed: September 28, 2001 :
Atty. Docket No.: BS01-167 :

This is a decision on the petition under 37 CFR 1.137(b), filed June 5, 2007, to revive the above-identified application.

The petition is **GRANTED**.

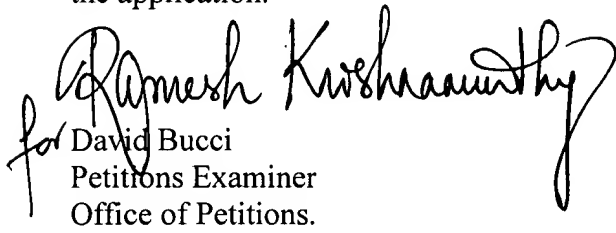
The application became abandoned for failure to reply in a timely manner to the Notice to File Corrected Application Papers mailed February 28, 2007, which set a non-extendable period for reply of two (2) months. Accordingly, the application became abandoned on April 29, 2007, and a Notice of Abandonment was mailed June 6, 2007.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay for filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(d).

The petition satisfies the conditions for revival pursuant to 37 CFR 1.137(b) by including (1) a reply in the form of a replacement drawing (FIG 16) to the Notice, (2) a petition fee of \$1500, and (3) a statement of unintentional delay. The reply to the Notice is accepted as having been unintentionally delayed.

Telephone inquiries relating to this decision should be directed to Robert DeWitty, Petitions Examiner, Office of Petitions (571-272-8427).

The application file will be referred to Office of Data Management for further action on the application.


for David Bucci
Petitions Examiner
Office of Petitions.